

Idaho Criminal Justice Commission
Regular Meeting
May 28, 2021

Location: [Zoom](#)

Time: 8 a.m.–12 p.m.

Idaho Criminal Justice Commission Members Present:

Eric Fredericksen, Chair, SAPD	James Cawthon, Judge, District Court
Dan Hall, Vice Chair, Chiefs of Police Association	Todd Lakey, Senate Judiciary & Rules Chairman
Dave Jeppesen, Health & Welfare	Rafael Gonzalez, U.S. Attorney, District of Idaho
Grant Burgoyne, Senate Judiciary & Rules	Colleen Zahn, Idaho Attorney General's Office
Ashley Dowell, Comm of Pardons & Parole	Darren Simpson, Judge, District Court
Kedrick Wills, Idaho State Police	Greg Chaney, House Jud & Rules Chairman
Daniel Chadwick, Public Member	Denton Darrington, Public Member

Marianne King, Office of Drug Policy
Monty Prow, IDJC
Josh Tewalt, Department of Correction
Darrell Bolz, Public Defense Commission
Sara Omundson, Idaho Supreme Court
Grant Loebbs, Prosecuting Attorneys Assoc.

Comprising a quorum of Idaho Criminal Justice Commission (Commission)

Idaho Criminal Justice Commission Members Absent:

Kieran Donahue, Idaho Sheriffs Association	Vacant, House Jud, Rules & Admin
Thomas Sullivan, Judge, Magistrate Court	Seth Grigg, Idaho Association of Counties
Jared Larsen, Office of the Governor	Eric Studebaker, Department of Education

Bernadette LaSarte, Public Member

Others Present:

Kathleen Elliott, Idaho Public Defense Commission
Heather Cunningham, Idaho Council on Domestic Violence and Victim Assistance

Agenda <i>Who's Responsible</i>		Meeting Outcomes/Decisions Reached	Due Date
8:00 am (10 min)	Call to Order– <i>Chair Eric Fredericksen</i> <ul style="list-style-type: none"> Welcome and Roll Call— <i>Chair Eric Fredericksen</i> Review Commission's Vision and Mission Statement and Values—<i>Commission Members</i> 		
Commission Management			
8:10 am (20 min)	Action Item – Approve April 2021 Minutes <u>Subcommittee Reports</u> <ul style="list-style-type: none"> Human Trafficking Mental Health Research Alliance - Suspended Sex Offense 	There was a motion to approve the minutes from April 2021 by Dan Chadwick, Darrell Bolz seconded. Motion carried. The human trafficking subcommittee is closer to having a screener done. The sex offender subcommittee did an overview of the work from past meetings and discussed possible changes to the spousal rape law, as well as some other changes to bring to the commission.	
Promote Well-Informed Policy Decisions			
8:30 am (25 min)	Annual Update – <i>Ashley Dowell, Pardon and Parole</i>	Types of Commission decisions Main decision is grants for parole. The full Commission to makes decisions on cases about firearms, commutations, and pardons. A three-member panel can make decisions on things like parole, revocation (people who have violated their parole), reinstatements, medical parole (people who have to meet certain criteria of terminally ill) and self-initiated parole reconsideration. Decision making authority comes from I.C. 20-223, “parole shall be ordered when, in the discretion of the Commission, it is in the best interests of society, and the commission believes the prisoner is able and willing to fulfill the obligation s of a law-abiding citizen. Such determination shall not be a reward of clemency and it shall not be considered to be a reduction of sentence or a pardon.”	

		<p><u>Investigative reports include:</u> Risk assessments, parole guidelines score (look at offense, disciplinary history, completion of programs, and risk assessment), victim information, mental health evaluation, sex offender risk assessments (master level professional completes this), prior criminal history, institutional behavior, seriousness of the crimes, plus more.</p> <p><u>Decisions:</u> Increased in 2020 by 5.15%. The major were parole decisions (2,875) and the smallest decisions were revocations (1,299).</p> <p>The history of the five-year grant rate for parole has been up and down. It has dipped about every other year.</p> <p><u>Parole Violation types:</u> Technical violations are of a condition of the parole contract to include new charges. Non-technical violations are absconding or conviction of a new misdemeanor or felony. A technical violation could be a dirty UA but it could also be a new charge for child pornography. This could be a wide range of violations.</p> <p><u>Process:</u> The parolee is arrested on a parole agent's warrant, The parole officer submits a report of violation to the Commission, A commission warrant is issued and replaces the Agent's warrant (the Commission cannot issue a warrant without a report of violation from the officer), A parole violation hearing is conducted to determine guilt or innocence: Parolee may request a continuance of any hearing, and If innocent of all violation, then there is an immediate release. There are monthly reviews to consider reinstatement on parole: If parole officer or violation hearing officer recommend. Revocation hearings are held to determine whether parole is revoked or reinstated.</p>	
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<p>8:45 am (25 min)</p>	<p>Annual Update – <i>Monty Prow, IDJC</i></p>	<p>96% of those children who enter the system never advance to an actual institution.</p> <p><u>Mission:</u> To develop productive citizens in active partnership with communities.</p> <p><u>Approach:</u> Balanced and restorative justice to include community safety, accountability, and competency development.</p> <p><u>Idaho juvenile Justice Continuum:</u> Youths are placed in diversion when appropriate or authorized, then moved to probation. 96% have some probation terms left and this is when they are passed back to the counties.</p> <p>97% of youth never enter the juvenile system because of the collaboration with many people and stakeholders. There are many options for prevention or intervention efforts. In 2008 there was a study that said the system was going to need 800 beds but the state only has 173 today and have not come close to that 800 mark.</p> <p>We keep kids out of the system by using our resources. IDJC funnels resources to the counties to help. There are quite successful outcomes such as 98% in substance use disorders. The clinician program is a joint effort with IDHW. It has served 1,311 youth. This has been going on for about 10 years.</p> <p>Idaho continues to see a decrease in numbers each year. This is very exciting to see.</p> <p>If kids need services, IDJC uses targeted treatment, education, counseling, engage the family (one of the most important because these children often return to the same family environment), and build skills of each child (i.e. vocational and anger management).</p>	
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9:15 am (30 min)	Annual Report – <i>Nancy Volle, SOMB</i>	<p>The Sexual Offender Management Board was developed in 2011. Authority comes from I.C. 18-8312 and 18-8314.</p> <p>SOMB Rules and Standards can be found in IDAPA and on their website: https://somb.idaho.gov/</p>	

		<p>The board consists of 11 members. There are 10 voting members and one non-voting member.</p> <p><u>Certification:</u> The SOMB certifies adult and juvenile psychosexual evaluators, treatment providers, and post-conviction polygraph testing examiners (PCSOT). A person must be certified by the SOMB to provide services to individuals in the community as ordered by the Courts, IDOC, IDJC, and the Commission for Pardons and Parole.</p> <p><u>Previous changes:</u> Developed website for applying for certification, easy access to information, and maintains a current roster of all providers. The SOMB condensed standards to make them easier to navigate. The QA process for renewal applications was separated the certification process. Plus, more.</p> <p><u>Current Changes:</u> Successfully separated QA process from the certification renewal process which greatly minimized delays and allows SOMB to dedicate more time to QA. Standard were changed to allow providers flexibility in accumulating CEUs online to accommodate for COVID. Administration is moving towards paperless system, and there is continued research in sex offender registries.</p> <p><u>Training:</u> Annual training: STATIC/STABLE/ACUTE Work with IDOC to bring a master trainer to Idaho to offer training, so Idaho can have more certified assessment trainers. Train the trainer.</p> <p><u>Tiered Registry:</u> Looking at move to a 3-4 tiers system. Assessments to be used will be: <ul style="list-style-type: none"> Static 99R and Stable 2007 for adult males, LSI-R for females, RM2000 for adult males (can be used for child porn cases), and JSOAP-II for juveniles. </p>	
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9:45 am (15 min)	Other ICJC Business	<p>The draft strategic plan from the IBHC is out and open for public comment. There will be public hearing on June 1st. There is also a survey that lets you view the plan and give the option to give comment on each section of the plan. The IBHC will meet on June 4th and will set their priorities. The want to know what people think they should focus on first.</p> <p>(https://healthandwelfare.idaho.gov/about-dhw/boards-councils-committees/idaho-behavioral-health-council-ibhc)</p> <p>June will be in person.</p>	
10:00 am	Adjournment		

Next regularly scheduled meeting to be held in Boise, Friday, June 25, 2021

“Collaborating for a Safer Idaho”